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EXAMINER

GRAHAM, CLEMENT B

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 02/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/775,532

**Applicant(s)**

ANDERSON, HARVEY

**Examiner**

Clement B Graham

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on November 18, 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/4/04, pages 1-7</u> . | 6) <input type="checkbox"/> Other: _____  |

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### DETAILED ACTION

1. Objections to Abstract has been withdrawn.

#### Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patent ability shall not be negated by the manner in which the invention was made.

3. Claims 1-24, are rejected under 35 U.S.C. 103(a) as being unpatentable over Joyce et al (Hereinafter Joyce U.S Patent No. 6, 320, 947) in view of Bouvier et al (Hereinafter Bouvier U.S Patent 6, 430, 276).

As per claim 1, Joyce discloses a system for facilitating processing and disposition of a transaction within an access controlled environment, comprising: an access control facility accessible via a global data processing network ("i. e, "computer network "see column 3 line 65 and column 4 lines 1-7") and configured to maintain user information see column 4 lines 44-57 and to permit or deny ("i. e, "authenticating") a user to enter an access controlled environment (i. e, "communication services") within a data processing environment and to perform user operations within said access controlled environment (see column 7 lines 50-55 and column 8 lines 1-22) a transaction management facility operable within said access controlled environment, coupled to said access control facility, and configured to store and maintain transaction ("i. e, "client "services") data based on said transaction, said user operations, and a security scheme ("i. e, "verifying") (see column 4 lines 44-57 and column 8 lines 35-40) an authentication facility operable within said access controlled environment and configured to authenticate said transaction data based on an authentication scheme corresponding to said transaction and billing facility.(see column 4 lines 44-57) and (column 8 lines 35-40.see column 7 lines 58-67).

Joyce fail to explicitly teach configured to permit said user to establish a billing allocation scheme between a first party and a second party to be used to control the billing of services provided within said access controlled environment, and to

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consolidate data related to internal operations performed by said access control facility, said transaction management facility, and said authentication facility to generate and process billing data based at least on at least on said billing allocation scheme wherein said billing data indicates a first monetary amount associated with said services which is to be billed to first party and a second monetary amount associated with said services which is to be billed to the second party.

However Joyce discloses if the PIN access card being utilized to initiate and pay for the above Switch Manager.TM. services is a top-up card, then the communications to the user regarding account balance, insufficient balance, or exhausted balance include an option for the user into add a value to, or "top-up", the card and under such circumstances, the user provides a bank account or credit card account number from which the system will, in real time, transfer funds into the user's telephony account.(see column 16 lines 54-60) and charging for providing the enhanced communication service includes decrementing a charge from a pre-paid user account or adding a charge to a credit account (see column 4 lines 7-9) and wherein said step of charging comprises decrementing a charge from an online pre-paid user account or adding a charge to an outline credit account.(see column 22 lines 20) and the client application services also provide a graphical user interface (not shown) and output device (not shown) for access to customer accounts and to usage information (see column 8 lines 56-59) and by selecting the account type, details of the account such as name, address, deposit, credit limit, and call history, etc. are displayed to the user.(see column 17 lines 35-55).

Joyce fail to explicitly teach wherein said billing data indicates a first monetary amount associated with said services which is to be billed to first party and a second monetary amount associated with said services which is to be billed to the second party. However Bouvier discloses providing network access services to users of a telephone system, in which the operator of the telephone system implements the and periodically bills said users for use of the telephone system and for the network access services accessed through the generic access service, the operator billing the network access services for the providers of those services.(see column 13 lines 1-10).

Therefore it would have been obvious to one of ordinary skill in the art at the time

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the invention was made to modify the teachings of Joyce to include wherein said billing data indicates a first monetary amount associated with said services which is to be billed to first party and a second monetary amount associated with said services which is to be billed to the second party taught by Bouvier in order to bill each user for services provided.

As per claim 2, Joyce discloses wherein said global data processing network is the Internet. (see column 6 lines 16-20).

As per claim 3, Joyce discloses wherein said billing facility generates a billing record related to said user operations within said access controlled environment.(see column 12 lines 6-9 and column 9 lines 45-49).

As per claims 4-5, Joyce fail to explicitly teach wherein the first said monetary amount is greater than said second amount.

However Bouvier discloses providing network access services to users of a telephone system, in which the operator of the telephone system implements and periodically bills said users for use of the telephone system and for the network access services accessed through the generic access service, the operator billing the network access services for the providers of those services.(see column 13 lines 1-10 and column 4 lines –36).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the modify the teachings of Joyce to Bouvier would have been capable of performing billing transactions regardless of the amounts or difference within in each amount to be process in order to provide bills to users for services provided.

As per claim 6, Joyce discloses a system for facilitating transaction processing and disposition within an access controlled environment, comprising:  
an access control facility accessible via a global data processing network.(i. e, "computer network "see column 3 line 65 and column 4 lines 1-7") and configured to maintain user information.(see column 4 lines 44-57) and to permit or deny. (i. e, "authenticating") users to login.(i. e, "enter a PIN" see column 4 lines 44-57") into an access controlled environment. (i. e, "communication services") maintained within a

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data processing environment.(see column 7 lines 50-55 and column 8 lines 1-22) said user information including a profile relating to each user of said users.(see column 14 lines 49-53) each said profile including a user-specific level of security.(see column 11 lines 43-46) a transaction management facility operable within said access controlled environment, coupled to said access control facility, and configured to store and maintain data related to a transaction. (i. e, "client services") involving at least one of said users based on a predetermined security level to facilitate disposition of said transaction within said access controlled environment, and to determine accessibility related to said data for said each user based on said each user's profile. (see column 4 lines 44-57 and column 8 lines 35-40 and column 11 lines 37-46) an authentication facility operable within said access controlled environment and configured to authenticate said data related to said transaction based on a predetermined authentication level set to correspond to said transaction. (see column 4 lines 44-57 and column 8 lines 35-40) a connectivity and communications facility coupled to said access control facility, said transaction management facility, and said authentication facility, said connectivity and communications facility configured to communicate with said access control facility.(see column 7 lines 50-65 and column 8 lines 1-59 and column 13 lines 1-50) said transaction management facility, said authentication facility, and external transaction party systems to facilitate disposition of said transaction based on said data stored and maintained by said transaction management facility. (see column 4 lines 44-57 and column 8 lines 35-40 see column 7 lines 58-67).

Joyce fail to explicitly teach a billing facility configured to permit said users to establish a billing allocation scheme between a first an second party to be used to control the billing of services provided within said access controlled environment, and to consolidate data related to internal operations performed by said access control facility, said transaction management facility, and said authentication facility to generate and process billing data based at least on said billing allocation scheme, wherein said billing data indicates a first monetary amount associated with said services which is to be billed to first party and a second monetary amount associated with said services which is to be billed to the second party .

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However Joyce discloses if the PIN access card being utilized to initiate and pay for the above Switch Manager.TM. services is a top-up card, then the communications to the user regarding account balance, insufficient balance, or exhausted balance include an option for the user into add a value to, or "top-up", the card and under such circumstances, the user provides a bank account or credit card account number from which the system will, in real time, transfer funds into the user's telephony account.(see column 16 lines 54-60)and charging for providing the enhanced communication service includes decrementing a charge from a pre-paid user account or adding a charge to a credit account. (see column 4 lines 7-9) and wherein said step of charging comprises decrementing a charge from an online pre-paid user account or adding a charge to an outline credit account.(see column 22 lines 20)and the client application services also provide a graphical user interface (not shown) and output device (not shown) for access to customer accounts and to usage information.(see column 8 lines 56-59) and By selecting the account type, details of the account such as name, address, deposit, credit limit, and call history, etc. are displayed to the user.(see column 17 lines 35-55).

Joice fail to explicitly teach wherein said billing data indicates a first monetary amount associated with said services which is to be billed to first party and a second monetary amount associated with said services which is to be billed to the second party

However Bouvier discloses providing network access services to users of a telephone system, in which the operator of the telephone system implements the and periodically bills said users for use of the telephone system and for the network access services accessed through the generic access service, the operator billing the network access services for the providers of those services.(see column 13 lines 1-10).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Joyce to include wherein said billing data indicates a first monetary amount associated with said services which is to be billed to first party and a second monetary amount associated with said services which is to be billed to the second party taught by Bouvier in order to bill each user for services provided.

As per claim 7, Joyce discloses wherein said global data processing network is the Internet. (see column 6 lines 16-20).

As per claim 8, Joyce discloses wherein said billing facility generates a billing record related to each operation performed by said users within said access controlled environment. (see column 12 lines 6-9 and column 9 lines 45-49).

As per claims 9-10, Joyce fail to explicitly teach wherein the first said monetary amount is greater than said second amount.

However Bouvier discloses providing network access services to users of a telephone system, in which the operator of the telephone system implements and periodically bills said users for use of the telephone system and for the network access services accessed through the generic access service, the operator billing the network access services for the providers of those services.(see column 13 lines 1-10 and column 4 lines –36).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the modify the teachings of Joyce to Bouvier would have been capable of performing billing transactions regardless of the amounts or difference within in each amount to be process in order to provide bills to users for services provided.

As per claim 11, Joyce discloses a method for facilitating transaction processing and disposition within an access controlled environment, comprising the steps of:  
at an access control facility accessible via a global data processing network.(i. e, "computer network "see column 3 line 65 and column 4 lines 1-7") maintaining user information and permitting or denying. (i. e, "authenticating") a user to login.(i. e, "enter PIN" see column 4 lines 44-57) into an access controlled environment. (i. e, "communication services") maintained within a data processing environment. (see column 4 lines 44-57and see column 7 lines 50-55 and column 8 lines 1-22)  
at a transaction management facility coupled to said access control facility, storing and maintaining data related to a transaction.(i. e, "client services based on a predetermined security level to facilitate disposition of said transaction within said access controlled environment. (see column 4 lines 44-57 and column 8 lines 35-40 and column 11 lines



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37-46) at an authentication facility, authenticating said data related to said transaction based on a predetermined authentication level. (see column 4 lines 44-57 and column 8 lines 35-40) permitting said user to establish a billing allocation scheme to be used to control the billing of services provided within said access controlled environment and a billing facility, (see column 4 lines 44-57 and column 8 lines 35-40 see column 7 lines 58-67).

Joyce fail to explicitly teach between a first and second party and consolidating data related to internal operations performed by said access control facility, and said authentication facility based on said billing allocation scheme, and at said billing facility, generating and processing said billing data based at least on said billing allocation scheme and wherein said billing data indicates a first monetary amount associated with said services which is to be billed to first party and a second monetary amount associated with said services which is to be billed to the second party.

However Joyce discloses if the PIN access card being utilized to initiate and pay for the above Switch Manager.TM. services is a top-up card, then the communications to the user regarding account balance, insufficient balance, or exhausted balance include an option for the user into add a value to, or "top-up", the card and under such circumstances, the user provides a bank account or credit card account number from which the system will, in real time, transfer funds into the user's telephony account.(see column 16 lines 54-60)and charging for providing the enhanced communication service includes decrementing a charge from a pre-paid user account or adding a charge to a credit account. (see column 4 lines 7-9) and wherein said step of charging comprises decrementing a charge from an online pre-paid user account or adding a charge to an outline credit account.(see column 22 lines 20)and the client application services also provide a graphical user interface (not shown) and output device (not shown) for access to customer accounts and to usage information.(see column 8 lines 56-59) and By selecting the account type, details of the account such as name, address, deposit, credit limit, and call history, etc. are displayed to the user.(see column 17 lines 35-55).

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Joyce fail to explicitly teach wherein said billing data indicates a first monetary amount associated with said services which is to be billed to first party and a second monetary amount associated with said services which is to be billed to the second party.

However Bouvier discloses providing network access services to users of a telephone system, in which the operator of the telephone system implements the and periodically bills said users for use of the telephone system and for the network access services accessed through the generic access service, the operator billing the network access services for the providers of those services.(see column 13 lines 1-10).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Joyce to include wherein said billing data indicates a first monetary amount associated with said services which is to be billed to first party and a second monetary amount associated with said services which is to be billed to the second party taught by Bouvier in order to bill each user for services provided.

As per claim 12, Joyce discloses wherein said global data processing network is the Internet. (see column 6 lines 16-20).

As per claim 13, Joyce discloses wherein said billing data is generated and processed relating to each operation performed by said user within said access controlled environment. (see column 12 lines 6-9 and column 9 lines 45-49).

As per claims 14-15, Joyce fail to explicitly teach wherein the first said monetary amount is greater than said second amount.

However Bouvier discloses providing network access services to users of a telephone system, in which the operator of the telephone system implements and periodically bills said users for use of the telephone system and for the network access services accessed through the generic access service, the operator billing the network access services for the providers of those services.(see column 13 lines 1-10 and column 4 lines –36).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the modify the teachings of Joyce to Bouvier would have been capable of performing billing transactions regardless of the amounts or difference

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within in each amount to be process in order to provide bills to users for services provided.

As per claim 16, Joyce discloses a method for facilitating transaction processing and disposition within an access controlled environment, comprising the steps of: at a user system operated by a user, accessing an access control facility via a global data processing network.(i. e, "computer network "see column 3 line 65 and column 4 lines 1-7") said access control facility configured to maintain user information related to said user.(see column 4 lines 44-57 and see column 8 lines 35-40) permitting or denying. (i. e, "authenticating") said user system operable access to an access controlled environment.(i. e, "communication services maintained within a data processing environment .(see column 7 lines 50-55 and column 8 lines 1-22) based on a profile related to said user including a user-specific level of security.(see column 14 lines 49-53 and column 11 lines 43-46) at a transaction management facility coupled to said access control facility and operating within said access controlled environment, storing and maintaining data related to a transaction.(i. e, client services") involving said user based on a predetermined security level to facilitate disposition of said transaction within said access controlled environment, said transaction management facility. (see column 4 lines 55-57 and column 11 lines 37-45) determining accessibility related to said data for said user based on said user's profile at an authentication facility operating within said access control environment, authenticating said data related to said transaction based on a predetermined authentication level set to correspond to said transaction. (see column 4 lines 44-57 and column 8 lines 35-40 and column 9 lines 45-49) at a communications facility coupled to said access control facility, said transaction management facility, said authentication facility.(see column 7 lines 50-65 and column 8 lines 1-59 and column 13 lines 1-50) and operating within said access controlled environment, communicating with external systems to facilitate disposition of said transaction based on said data stored and maintained by said transaction management facility. (see column 4 lines 44-57 and column 8 lines 35-40 and see column 7 lines 58-67).

Joyce fail to explicitly teach permitting said user to establish a billing allocation

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scheme between a first and a second party to be used to control the billing of services provided within said access controlled environment and at a billing facility operating within said access controlled environment, consolidating data related to internal operations performed by said access control facility, said transaction management facility, and said authentication facility, generating and processing billing data based at least on billing allocation scheme and wherein said billing data indicates a first monetary amount associated with said services which is to be billed to first party and a second monetary amount associated with said services which is to be billed to the second party.

However Joyce discloses if the PIN access card being utilized to initiate and pay for the above Switch Manager.TM. services is a top-up card, then the communications to the user regarding account balance, insufficient balance, or exhausted balance include an option for the user into add a value to, or "top-up", the card and under such circumstances, the user provides a bank account or credit card account number from which the system will, in real time, transfer funds into the user's telephony account.(see column 16 lines 54-60) and charging for providing the enhanced communication service includes decrementing a charge from a pre-paid user account or adding a charge to a credit account. (see column 4 lines 7-9) and wherein said step of charging comprises decrementing a charge from an online pre-paid user account or adding a charge to an outline credit account.(see column 22 lines 20)and the client application services also provide a graphical user interface (not shown) and output device (not shown) for access to customer accounts and to usage information.(see column 8 lines 56-59) and By selecting the account type, details of the account such as name, address, deposit, credit limit, and call history, etc. are displayed to the user.(see column 17 lines 35-55).

Joice fail to explicitly teach wherein said billing data indicates a first monetary amount associated with said services which is to be billed to first party and a second monetary amount associated with said services which is to be billed to the second party.

However Bouvier discloses providing network access services to users of a telephone system, in which the operator of the telephone system implements the and periodically bills said users for use of the telephone system and for the network access

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services accessed through the generic access service, the operator billing the network access services for the providers of those services.(see column 13 lines 1-10).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Joyce to include wherein said billing data indicates a first monetary amount associated with said services which is to be billed to first party and a second monetary amount associated with said services which is to be billed to the second party taught by Bouvier in order to bill each user for services provided.

As per claim 17, Joyce discloses wherein said global data processing network is the Internet. (see column 6 lines 16-20).

As per claim 18, Joyce discloses further comprises the step of: at said billing facility, generating a billing record related to each operation performed by said user within. (see column 12 lines 6-9 and column 9 lines 45-49).

As per claims 19-20, Joyce fail to explicitly teach wherein the first said monetary amount is greater than said second amount.

However Bouvier discloses providing network access services to users of a telephone system, in which the operator of the telephone system implements and periodically bills said users for use of the telephone system and for the network access services accessed through the generic access service, the operator billing the network access services for the providers of those services.(see column 13 lines 1-10 and column 4 lines –36).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the modify the teachings of Joyce to Bouvier would have been capable of performing billing transactions regardless of the amounts or difference within in each amount to be process in order to provide bills to users for services provided.

As per claim 21, Joyce discloses a system for facilitating processing and disposition of a transaction within an access controlled environment, comprising: an access control facility accessible via a global data processing network.(i. e, "computer network "see column 3 line 65 and column 4 lines 1-7") and configured to

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permit or deny.(i. e, "authenticating") a user to enter an access controlled environment within a data processing environment and to utilize services offered within said access controlled environment.(i. e, communication services") and billing facility (see column 4 lines 44-57 and see column 7 lines 50-67 and column 8 lines 1-22).

Joyce fail to explicitly teach configured to permit said user to establish a billing allocation scheme between a first party and second party to be used to control billing related to said services provided within said access controlled environment and generate and process billing data based at least on said services offered within said access controlled environment and wherein said billing data indicates a first monetary amount associated with said services which is to be billed to first party and a second monetary amount associated with said services which is to be billed to the second party.

However Joyce discloses if the PIN access card being utilized to initiate and pay for the above Switch Manager.TM. services is a top-up card, then the communications to the user regarding account balance, insufficient balance, or exhausted balance include an option for the user into add a value to, or "top-up", the card and under such circumstances, the user provides a bank account or credit card account number from which the system will, in real time, transfer funds into the user's telephony account.(see column 16 lines 54-60) and charging for providing the enhanced communication service includes decrementing a charge from a pre-paid user account or adding a charge to a credit account. (see column 4 lines 7-9) and wherein said step of charging comprises decrementing a charge from an online pre-paid user account or adding a charge to an outline credit account.(see column 22 lines 20)and the client application services also provide a graphical user interface (not shown) and output device (not shown) for access to customer accounts and to usage information.(see column 8 lines 56-59) and By selecting the account type, details of the account such as name, address, deposit, credit limit, and call history, etc. are displayed to the user.(see column 17 lines 35-55).

Joice fail to explicitly teach wherein said billing data indicates a first monetary amount associated with said services which is to be billed to first party and a second monetary amount associated with said services which is to be billed to the second party.

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However Bouvier discloses providing network access services to users of a telephone system, in which the operator of the telephone system implements the and periodically bills said users for use of the telephone system and for the network access services accessed through the generic access service, the operator billing the network access services for the providers of those services.(see column 13 lines 1-10).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Joyce to include wherein said billing data indicates a first monetary amount associated with said services which is to be billed to first party and a second monetary amount associated with said services which is to be billed to the second party taught by Bouvier in order to bill each user for services provided.

As per claim 22, Joyce discloses wherein said billing facility generates a billing record related to each operation related to said services performed by said user within said access controlled environment. (see column 12 lines 6-9 and column 9 lines 45-49).

As per claims 23-24, Joyce fail to explicitly teach wherein the first said monetary amount is greater than said second amount.

However Bouvier discloses providing network access services to users of a telephone system, in which the operator of the telephone system implements and periodically bills said users for use of the telephone system and for the network access services accessed through the generic access service, the operator billing the network access services for the providers of those services.(see column 13 lines 1-10 and column 4 lines –36).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the modify the teachings of Joyce to Bouvier would have been capable of performing billing transactions regardless of the amounts or difference within in each amount to be process in order to provide bills to users for services provided.

### **Conclusion**

### **Response to Arguments**

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4. Applicant's arguments files on 11/18/04 have been fully considered but they are not persuasive for the following reasons.

5. In response to applicant's arguments regarding Joyce.

6. In response to Applicant's arguments that the Joyce fail to teach or suggest" a billing facility configured to permit a user to establish a billing allocation scheme between a first and second party to be used to control the billing of services provided within an access controlled environment and to generate and process billing data based at least on the billing allocation scheme where the billing data indicates a first monetary amount associated with the services which is to be billed to the first party and a second monetary amount associated with the services which is to be billed to the second party" these limitations are addressed in a combination of teachings as it states Joyce discloses an access control facility accessible via a global data processing network ("i. e, "computer network "see column 3 line 65 and column 4 lines 1-7") and configured to maintain user information (see column 4 lines 44-57) and to permit or deny ("i. e, "authenticating") a user to enter an access controlled environment (i. e, "communication services") within a data processing environment and to perform user operations within said access controlled environment see column 7 lines 50-55 and column 8 lines 1-22 a transaction management facility operable within said access controlled environment, coupled to said access control facility, and configured to store and maintain transaction ("i. e, "client "services") data based on said transaction, said user operations, and a security scheme ("i. e, "verifying") see column 4 lines 44-57 and column 8 lines 35-40 an authentication facility operable within said access controlled environment and configured to authenticate said transaction data based on an authentication scheme corresponding to said transaction and billing facility see column 4 lines 44-57 and column 8 lines 35-40 see column 7 lines 58-67 and if the PIN access card being utilized to initiate and pay for the above Switch Manager.TM. services is a top-up card, then the communications to the user regarding account balance, insufficient balance, or exhausted balance include an option for the user into add a value to, or "top-up", the card and under such circumstances, the user provides a bank account or credit card account number from which the system will, in real time, transfer



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funds into the user's telephony account see column 16 lines 54-60 and charging for providing the enhanced communication service includes decrementing a charge from a pre-paid user account or adding a charge to a credit account see column 4 lines 7-9 and wherein said step of charging comprises decrementing a charge from an online pre-paid user account or adding a charge to an outline credit account see column 22 lines 20 and the client application services also provide a graphical user interface (not shown) and output device (not shown) for access to customer accounts and to usage information see column 8 lines 56-59 and By selecting the account type, details of the account such as name, address, deposit, credit limit, and call history, etc. are displayed to the user. see column 17 lines 35-55.

However Bouvier discloses providing network access services to users of a telephone system, in which the operator of the telephone system implements the and periodically bills said users for use of the telephone system and for the network access services accessed through the generic access service, the operator billing the network access services for the providers of those services. see column 13 lines 1-10.

It is obviously clear from the teachings addressed above, a billing facility configured to permit a user to establish a billing allocation scheme between a first and second party to be used to control the billing of services provided within an access controlled environment and to generate and process billing data based at least on the billing allocation scheme where the billing data indicates a first monetary amount associated with the services which is to be billed to the first party and a second monetary amount associated with the services which is to be billed to the second party were taught within Joyce and Bouvier.

7. With respect to Applicant's argument that the Examiner fail to make prima facie case of obviousness Examiner respectfully submits that obviousness is not determined on the basis of the evidence as a whole and the relative persuasiveness of the arguments. See *In re Oetiker*, 977F. 2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992); *In re Hedges*, 783F.2d 1038, 1039, 228 USPQ\* 685, 686 (Fed. Cir.1992); *In re Piaseckii*, 745 F.2d 1468, 1472, 223 USPQ 785, 788 (Fed. Cir.1984); *In re Rinehart*, 531 F.2d 1048, 1052, 189 USPQ 143, 147 (CCPA 1976). Using this

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standard, the Examiner respectfully submits that he has at least satisfied the burden of presenting a prima facie case of obviousness, since he has presented evidence of corresponding claim elements in the prior art and has expressly articulated the combinations and the motivations for combinations that fairly suggest Applicant's claimed invention (See paper number 10). Note, for example, in the instant case, the Examiner respectfully notes that each and every motivation to combine the applied references are accompanied by select portions of the respective reference(s) which specially support that particular motivation and /or an explanation based on the logic and scientific reasoning of one ordinarily skilled in the art at the time of the invention that support a holding of obviousness. As such, it is not seen that the Examiner's combination of references is unsupported by the applied prior art of record. Rather, it is respectfully submitted that explanation based on the logic and scientific reasoning of one of ordinarily skilled in the art at the time of the invention that support a holding of obviousness has been adequately provided by the motivations and reasons indicated by the Examiner, Ex pane Levengood, 28 USPQ2d 1300(Bd. Pat. App &.,4/293 Therefore the combination of reference is proper and the rejection is maintained.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

February 22, 2005

  
HYUNG SOUGH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600